

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

INFINITY COMPUTER PRODUCTS, INC. :	CIVIL ACTION
<i>Plaintiff</i> :	
:	
v. :	NO. 12-6796
:	(lead case)
:	
TOSHIBA AMERICA BUSINESS :	
SOLUTIONS, INC. :	
<i>Defendant</i> :	

O R D E R

AND NOW, this 22nd day of February 2019, upon consideration of *Defendants' motion for partial summary judgment on pre-issuance damages and absolute intervening rights*, [ECF 70], Plaintiff's opposition thereto, [ECF 79], Defendants' reply, [ECF 80], and Plaintiff's sur-reply, [ECF 84], it is hereby **ORDERED** that, for the reasons set forth in the accompanying Memorandum Opinion, Defendants' motion for partial summary judgment is **GRANTED**. Accordingly, the damages Plaintiff may obtain in this matter are subject to the pre-issuance damages and absolute intervening rights protections provided by 35 U.S.C. §252.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro
NITZA I. QUIÑONES ALEJANDRO
Judge, United States District Court